IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

THURSDAY, THE 8TH MARCH 2007 / 17TH PHALGUNA 1928

Bail Appl..No. 1313 of 2007()

AGAINST THE JUDGEMENT/ORDER IN WPCR.33/2007 Dated 12/02/2007

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PETITIONER/ACCUSED

SAM JOSE,
SAM JOSE BHAVAN, VILAVOORKKAL,
MALAYINKEEZHU P.O., NEYYATTINKARA TALUK,
THIRUVANANTHAPURAM DISTRICT.

BY ADV. SRI.GOPAKUMAR R.THALIYAL
SRI.N.P.PRAJEESH

RESPONDENTS: STATE/COMPLAINANT

STATE OF KERALA, REPRESENTED BY
THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 08/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

Bail Application No. 1313 of 2007

DATED: 8th March , 2007

O R D E R

Petitioner who is the 3rd accused in Crime No. 65 of 2007 on the file of Kasaragod Police Station for offences punishable under Sections 364 A and 120 B read with Sec. 34 I.P.C. seeks anticipatory bail.

2. The learned Public Prosecutor opposed the application submitting inter alia that all the 5 accused persons had kidnapped a doctor who is the brother of the de facto complainant for the purpose of claiming 10 lakhs by way of ransom.

2. Anticipatory bail cannot be granted in a case of this nature. But at the same time I am inclined to permit the petitioner to surrender before the Investigating Officer and then to have his application for regular bail ordered by the Magistrate concerned. Accordingly, the petitioner shall surrender before the Investigating Officer on any day between 15-03-2007 and 17-3-2007 for the purpose of custodial interrogation. Thereafter, he shall be produced before the Magistrate having jurisdiction, on the same day. The Magistrate shall consider and dispose of the application, if any, filed by the petitioner for regular bail preferably on the same day on which it is filed.

This petition is disposed of as above.

V.RAMKUMAR, JUDGE

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